

## UNITED STATES DISTRICT COURT APR 30 2019

for the  
Southern District of Texas

David J. Bradley, Clerk

United States of America  
Y.  
Jose Martin Gutierrez  
YOB: 1998 Citizenship: USC

Case No.

M-19-0985-M

Defendant(s)

## CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of April 29, 2019 in the county of Hidalgo in the  
Southern District of Texas, the defendant(s) violated:

<i>Code Section</i>	<i>Offense Description</i>
21 U.S.C. § 841	Possession with Intent to Distribute Methamphetamine
21 U.S.C. § 952	Illegal Importation of Methamphetamine

This criminal complaint is based on these facts:

On April 29, 2019, Jose Martin GUTIERREZ was detained attempting to enter the United States through the Progreso Port of Entry with approximately 10.2 kilograms of methamphetamine in speaker boxes in the back of the vehicle he was driving.

SEE ATTACHMENT "A"

✓ Continued on the attached sheet.

Approved by David A. Lindquist  
4/30/19

Sworn to before me and signed in my presence.

Date: 4/30/2019City and state: McAllen, Texas

Complainant's signature

Juan Flores, Jr., U.S., HSI SA

Printed name and title

Judge's signature

U.S. Magistrate Judge J. Scott Hacker

Printed name and title

**Attachment "A"**

On April 29, 2019 a truck driven by Jose GUTIERREZ made entry at the Progreso, Texas Port of Entry. GUTIERREZ's vehicle was selected for post primary inspection by Customs and Border Protection officers (CBPO). In secondary inspection, the assistance of a CBPO and his Narcotics Detection Dog (NDD) was requested and the NDD alerted to the rear area of the truck. Further physical inspection of the vehicle revealed a total of 20 packages concealed in two (2) speaker boxes in the rear of the vehicle. The 20 packages weighed approximately 10.2 kilograms and field tested positive for properties of methamphetamine.

Homeland Security Investigations (HSI) Special Agents (SA) were was advised of the situation. SA's responded to the Progreso, Texas Port of Entry to interview GUTIERREZ. HSI SA's read GUTIERREZ his Miranda rights as witnessed by a CBPO. GUTIERREZ waived his rights in writing and elected to speak to the HSI SA's. GUTIERREZ stated he was hired by an individual to cross a vehicle from Rio Bravo, Mexico, into the United States. He stated he suspected there was illegal narcotics in the vehicle. He informed agents he was going to be paid \$100-\$200 for his work.